

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

B. P. J., et al.,
Plaintiff,

v.

CIVIL ACTION NO. 2:21-cv-00316
Judge Joseph R. Goodwin

WEST VIRGINIA STATE
BOARD OF EDUCATION, et al.,

Defendants.

**JOINT MOTION FOR ENTRY OF
AN UPDATED PROTECTIVE ORDER**

NOW COME the parties herein, by counsel, and, pursuant to Federal Rules of Civil Procedure 26(c) and Local Rules of Procedure Rule 26.4(b) move this Honorable Court for entry of the attached updated Protective Order on the basis that Lainey Armistead has been added as an additional party to this action.

On November 23, 2021, this Court entered a protective order to which all parties had stipulated. On December 2, 2021 the Court granted Intervenor Lainey Armistead's motion to intervene as a party defendant. Now that Lainey Armistead is a party to the case, all parties jointly move this court to enter the attached stipulated Protective Order, which is identical to the Protective Order entered by this Court on November 23, 2021, except that it adds new Defendant Lainey Armistead and counsel as parties thereto.

Wherefore, for all of the reasons set forth herein, the parties move this Court to enter the attached proposed protective order.

Respectfully submitted and agreed to by counsel:

STATE OF WEST VIRGINIA,

By counsel,
PATRICK MORRISEY,
ATTORNEY GENERAL

/s/ Curtis R. A. Capehart
Douglas P. Buffington, II (WV Bar # 8157)
Chief Deputy Attorney General
Curtis R. A. Capehart (WV Bar # 9876)
Deputy Attorney General
David C. Tryon (visiting attorney)
Special Assistant to the Attorney General
State Capitol Complex
Building 1, Room E-26
Charleston, WV 25305-0220
Email: Curtis.R.A.Capehart@wvago.gov
Telephone: (304) 558-2021
Facsimile: (304) 558-0140
Counsel for Defendant,
STATE OF WEST VIRGINIA

/s/Susan L. Deniker per consent
Susan L. Deniker
Steptoe @ Johnson PLLC
400 White Oaks Boulevard
Bridgeport, WV 26330
susan.deniker@steptoe-johnson.com
Counsel for Defendants, Harrison County Board
of Education and Dora Stutler

/s/ Christiana Holcomb per consent
Christiana Holcomb
Alliance Defending Freedom
440 First Street NW, Suite 600
Washington, DC 20001
cholcomb@adflegal.org
Counsel for Defendant Lainey Armistead

/s/ Kelly C. Morgan per consent
Kelly C. Morgan
Michael W. Taylor
Kristen V. Hammond
Bailey & Wyant, PLLC
500 Virginia Street East, Suite 600
P.O. Box 3710
Charleston, WV 25337-3710
kmorgan@baileywyant.com
mtaylor@baileywyant.com
khammond@baileywyant.com
Counsel for Defendants, West Virginia State
Board of Education and W. Clayton Burch

/s/ Katelyn Kang per email consent.
Katelyn Kang
Cooley LLP
55 Hudson Yards
New York, NY 10001-2157
kkang@cooley.com
Counsel for Plaintiff

/s/ Roberta Green per consent
Roberta F. Green
Shuman McCuskey & Slicer PLLC
P.O. Box 3953
Charleston, WV 25339-3953
rgreen@shumanlaw.com
Counsel for Defendant, West Virginia Secondary
School Activities Commission